

ORAL ARGUMENT NOT YET SCHEDULED

Case No. 23-5159

IN THE UNITED STATES COURT OF APPEALS

MATTHEW D. GREEN, ET AL.,

Plaintiffs-Appellants,

v.

UNITED STATES DEPARTMENT OF JUSTICE, ET AL.,

Defendants-Appellees.

On Appeal from the U.S. District Court for the District of ColumbiaCase No. 1:16-cv-01492-EGS, Hon. Emmet G. Sullivan

**NOTICE BY DVD COPY CONTROL ASSOCIATION AND
ADVANCED ACCESS CONTENT SYSTEM LICENSING
ADMINISTRATOR, LLC OF INTENT TO FILE BRIEF AMICI CURIAE
IN SUPPORT OF DEFENDANTS-APPELLEES AND AFFIRMING THE
DISTRICT COURT DECISION**

Michael B. Ayers
Michael B. Ayers Technology Law
5256 S. Mission Rd., Suite 703-2215
Bonsall, CA 92003-3622
(760) 607-6434
michael@ayerstechlaw.com

David Jonathan Taylor
Right Size Law PLLC
621 G ST SE
Washington, DC 20003
(202) 546-1536
David.taylor@rightsizelaw.com

Counsel for Amici Curiae

NOTICE OF INTENT TO PARTICPATE AS AMICI CURIAE

Pursuant to the Circuit Rule 29(b), DVD CCA and AACS LA hereby notify the Court of the intent to participate as amici curiae and to file a brief amicus curiae in the above captioned matter in support of Defendants-Appellees and affirming the District Court decision.

Counsel for Matthew Green, Andrew “bunnie” Huang, and Alphamax LLC and counsel for the United States Department of Justice consent to the filling of this brief.

CORPORATE DISCLSoure STATEMENT

Pursuant to Circuit Rule 26.1, DVD Copy Control Association, Inc. (“DVD CCA”), Advanced Access Content System Licensing Administrator, LLC, (“AACS LA”) state that they have no parent corporations and that no publicly held corporation or other publicly held entity owns ten percent (10%) or more of amici curiae.

Nature and Purpose Relevant to the Case

DVD CCA, a not-for-profit corporation with its principal office in Morgan Hill, California, licenses the Content Scramble System (“CSS”) for use in protecting against unauthorized access to or use of prerecorded video content distributed on DVD discs. Its licensees include the owners of such content and the related authoring and disc replicating companies; producers of encryption engines,

hardware and software decrypters; and manufacturers of DVD players and DVD-ROM drives.

AACS LA, is a cross-industry limited liability company with its principal offices in Beaverton, Oregon. The Founders of AACS LA are Warner Bros., Disney, Microsoft, Intel, Toshiba, Panasonic, Sony, and IBM. AACS LA licenses the Advanced Access Content System (“AACS”) technology that it developed for the protection of high-definition audiovisual content distributed on optical media. That technology is associated with Blu-ray Discs. AACS LA’s licensees include the owners of such content and the related authoring and disc replicating companies; producers of encryption engines, hardware and software decrypters; and manufacturers of Blu-ray Disc players and Blu-ray Disc drives.

AACS LA has also developed a separate technology for the distribution of audiovisual content in ultra-high-definition digital format. This technology is identified as AACS2, a distinct technology that protects audiovisual content distributed on Ultra HD (UHD) Blu-ray discs, a distinct optical disc format which will not play on legacy (HD) Blu-ray players.

(Signatures Follow on Next Page)

Date: February 6, 2024

Respectfully submitted,

/s/ Michael B. Ayers

Michael B. Ayers

Michael B. Ayers Technology Law

5256 S. Mission Rd., Suite 703-2215

Bonsall, CA 92003-3622

michael@ayerstechlaw.com

/s/ David Jonathan Taylor

David Jonathan Taylor

Right Size Law PLLC

621 G ST SE

Washington, DC 20003

david.taylor@rightsizelaw.com

202-546-1536

Counsel to DVD CCA and AACLS LA

CERTIFICATE OF SERVICE

I certify that on February 6, 2024, this Notice was filed using the Court's CM/ECF system. All participants in the case are registered CM/ECF users and will be served electronically via that system. Paper copies of this brief will also be filed with the Clerk of the Court as the Clerk requests.

/s/ David Jonathan Taylor

David Jonathan Taylor

Right Size Law PLLC

621 G ST SE

Washington, DC 20003

david.taylor@rightsizelaw.com

202-546-1536